



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,387	03/31/2004	Mihai Florin Ionescu	24207-10091	5527

62296 7590 05/11/2010
GOOGLE / FENWICK
SILICON VALLEY CENTER
801 CALIFORNIA ST.
MOUNTAIN VIEW, CA 94041

EXAMINER

NGUYEN, CINDY

ART UNIT	PAPER NUMBER
----------	--------------

2161

MAIL DATE	DELIVERY MODE
-----------	---------------

05/11/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/814,387	Applicant(s) IONESCU ET AL.	
	Examiner CINDY NGUYEN	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-12, 31, 36-44-47, 50-67, 69-79 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/08/2010</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/31/2010 has been entered.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 04/08/2010 is being considered by the examiner.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2161

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-11, 36-43, 45-47, 50-66, 69-79 are rejected under 35

U.S.C. 102(e) as being anticipated by Farnham et al. (US 7343365, hereafter

Farnham).

Regarding claims 1, 42 and 61, Farnham discloses: a method, a computer program product and a system for capturing event data associated with a plurality of different types of articles, the articles comprising article data generated by a plurality of different client applications, comprising: Storing a plurality of different event schema, each event schema associated with at least one of the types of and defining a format for storing event data and for storing article data for at least one of the types of articles, wherein event data represents user interactions with articles and is distinct from article data, the format comprising fields for storing the event data and fields for storing the article data **(i.e., computer system database 106 stores information (e.g., "metadata") about computer files stored on and activities carried out on a computer, ...some types of computer file types may have specific metadata fields, that are not applicable to other file types** (this corresponded to specific define a format for storing activities/events data and storing the computer file types include metadata/fields that associated and distinct from the computer file/article

Deleted: ¶

Art Unit: 2161

data), event schema describe **such for example, the metadata fields for a photo file type/ type of article may include the size of the image, where the picture was taken, who took it, who is in it, etc. see col. 4, lines 36-50; other type of article such as web page, for instance, if a user copies or stores a picture in a web browser, system activity monitor 104 could store the network address of the source page as web as the URL the image itself, as metadata in database 106, see col. 4, lines 29-35; col. 9, col. 10, lines 16-25; further, event schemas such as tracking change of one or more schema to represent changes ...see col. 13, lines 15-27, Farnham);**

Detecting an event, the event including a user interaction with an article **(i.e., system monitor/detector 104 monitors user activity and collected information about the objects/article with which a computer user interacts...see col. 4, lines 60-66 ; col. 9, lines 57-61; col. 10, lines 16-21 ,Farnham);**

Responsive to the detected event, determining an event schema associated with the type of the article **(i.e., determine whether the objects are new or unique relative to other objects listed in computer system database 106, se col. 4, lines 60-67; col. 6, lines 41-49; col. 7, lines 40 to col. 8, lines 39; Farnham); and**

Storing, in a data store, the associated event data identifies the event and the article using the format defined by the determined event schema associated with the type of the article **(i.e., determine whether the objects are new or unique relative to other objects listed in computer system database 106, and aggregate**

Art Unit: 2161

or **store the activities in computer system database 106 in association with the unique object identifier of the object, see col. 4, lines 60-67; col. 6, lines 41-49; Farnham).**

Regarding claims 2, 43 and 62, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Farnham discloses further comprising transferring the event data to a search application adapted to search event data independently of article data (**i.e., the word processing application 204 would deliver to context association system 100 a search request for related text documents; col. 16, lines 10-14, lines 32-35, Farnham).**

Regarding claims 3, 45 and 64, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. Farnham discloses further comprising accessing and providing the event data to a requester by a search application in response to a search query submitted by the requester (see col. 11, lines 5-11, Farnham).

Regarding claims 5, 55 and 74, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Farnham discloses: wherein determining the event schema comprises accessing a registered event schema (i.e., the word processing application 204 that is registered with context association system 100 could be used to open or access a word processing document...col. 15, lines 42-45; col. 16, lines 9-14, Farnham).

Regarding claims 6, 54 and 73, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Farnham discloses: wherein each event schema indicates information to be captured for at least one application adapted to access or manipulate the article associated with the event schema (see paragraph 0079, lines 4+, Farnham).

Regarding claims 7, 56 and 75, all the limitations of these claims have been noted in the rejection of claims 5, 55 and 74 above, respectively. In addition, Farnham discloses: wherein the registered event schema is an extension of another registered event schema (see col. 15, lines 27-40, Farnham).

Regarding claims 8, 57 and 76, all the limitations of these claims have been noted in the rejection of claims 5, 55 and 74 above, respectively. In addition, Farnham discloses: wherein at least one registered event schema has multiple versions (i.e. versioning see col. 12, lines 47-51).

Regarding claims 9, 58 and 77, all the limitations of these claims have been noted in the rejection of claims 5, 55 and 74 above, respectively. In addition, Farnham discloses: wherein at least one registered event schema is an extension of a predefined base event schema provided by a search application (i.e., modification history of computer file types such as metadata/predefined fields, see col. 4, lines 40-50).

Regarding claims 10, 46 and 65, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Farnham discloses: wherein the event further comprises user interactions with a client application or a client device to access the article (see col.3, lines 55-65).

Regarding claims 11, 47 and 66, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Farnham discloses: wherein determining an event schema comprises registering a new event (col. 15, lines 27-30).

Regarding claims 35, 49 and 68, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Farnham discloses: wherein the event schema describes the format of an event, the format comprising fields for at least one of event data associated with the event, an article associated with the event, or the content of the article (see col., lines 45-50 , Farnham).

Regarding claims 36, 50 and 69, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Farnham discloses: wherein the event is a real-time event (see col. 6, lines 41-49, Farnham).

Regarding claims 37, 51, 70, all the limitations of these claims have been noted in the rejection of claims 36, 50 and 69, respectively. In addition, Farnham discloses: wherein the real-time event is selectively indexed by a search application. On the other hand, Bates discloses: wherein the real-time event is selectively indexed by a search application independently of article data (see col. 12, lines 60-65, Farnham).

Regarding claims 38, 59 and 78, all the limitations of these claims have been noted in the rejection of claims 5, 55, 74 above, respectively. In addition, Farnham discloses: wherein the registered event schema further comprises a schema identifier (see col. 10, lines 60-63) , and wherein the schema identifier and schema are stored in a searchable database (see col. 4, lines 36-50 , Farnham).

Regarding claims 40, 52 and 71, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Farnham discloses: wherein the event is a historical event, the event having occurred in the past (col. 12, lines 52-58, Farnham).

Regarding claims 39, 60 and 79, all the limitations of these claims have been noted in the rejection of claims 5, 55 and 74 above, respectively. In addition, Farnham discloses: wherein the registered event schema is configured

Art Unit: 2161

to allow a search application to determine types of event data associated with an event (see col. 10, lines 26-38, Farnham).

Regarding claims 41, 53 and 72, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Farnham discloses: wherein storing further comprises storing associations between related events (col. 11, lines 2-10, Farnham).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12, 31, 44, 48, 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farnham et al. (US 7343365, hereafter Farnham) in view of Kesselman et al. (US 2003/0233366, hereafter Kesselman).

Regarding claims 12, 44 and 63, all the limitations of these claims have been noted in the rejection of claims 2, 43 and 62 above, respectively.

However, Farnham didn't disclose: wherein the event data is transferred using one or a combination of the following information exchange mechanisms:

Extensible Markup Language-Remote Procedure Calling Protocol (XML/RPC),
Hypertext Transfer Protocol (HTTP), Simple Object Access Protocol (SOAP),

Art Unit: 2161

Shared memory, sockets, local or remote procedure calling. On the other hand, Kesselman discloses: wherein the event data is transferred using one or a combination of the following information exchange mechanisms: Extensible Markup Language-Remote Procedure Calling Protocol (XML/RPC), Hypertext Transfer Protocol (HTTP), Simple Object Access Protocol (SOAP), Shared memory, sockets, local or remote procedure calling (see paragraph 0035, lines 16+, Kesselman). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include teaching of Kesselman in the system of Farnham. The motivation being provide the communication between the event queue manager server and other servers via a form of inter computer messaging such as SOAP or XML or via writing records to a database and reducing the amount of processing that an individual server may be required to perform.

Regarding claims 31, 48 and 67, all the limitations of these claims have been noted in the rejection of claims 1, 42 and 61 above, respectively. In addition, Farnham discloses: further comprising placing the event data in a queue and indexing the event data responsive to its position in the queue (i.e., event queue, see paragraph 0035) Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include teaching of Kesselman in the system of Farnham. The motivation being provides the messaging and queuing to perform the interaction between the servers.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. N./

Examiner, Art Unit 2161

Art Unit: 2161

/A Oberley/

Primary Examiner, Art Unit 2100